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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/623,568		Barbara Miller	98-1895	5274	
23377 WOODCOCK	7590 12/14/2007 WASHBURN LLP		EXAMINER ZEMAN, ROBERT A		
	RE, 12TH FLOOR				
2929 ARCH S	TREET HA, PA 19104-2891		ART UNIT PAPER NUMBER		
THEADELT	1111, 111 19104 2091		1645		
•			MAIL DATE	DELIVERY MODE	
			12/14/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231

APPLICATION NO./	FILING DATE	FIRST NAMED INVENTOR /	ATTORNEY DOCKET NO.
CONTROL NO.		PATENT IN REEXAMINATION	
09/623,568		MILLER, BARBARA	

EXAMINER

Robert A. Zeman

ART UNIT PAPER

1645

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

The communication filed on 6-6-2002 is not fully responsive to the Office communication mailed 7-11-2001 for the reason(s) set forth on the attached Notice to Comply With the Sequence Rules or CRF Diskette Problem Report.

Since the abbove mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY DAYS from the mailing date of this notice, which ever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER C.F.R. 1.136(a).

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

- Electronically submitted through EFS-Bio (http://www.uspto.gov/ebc/efs/downloads/documents.htm, EFS Submission User Manual - ePAVE)
- 2. Mailed to:

Mail Stop Sequence

Commissioner for Patents

P.O. Box 22313-1450

Alexandria, VA 22313-1450

3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:

U.S. Patent and Trademark Office

Mail Stop Sequence.

Customer Window

Randolph Building 401 Dulaney Street Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Examiner Robert A. Zeman, Art Unit 1645, whose telephone number is (571) 272-0866.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

ROBERT A. ZEMANPRIMARY EXAMINER

Notice to Comply

Application No. 09/623,568 Examiner Robert A. Zeman Applicant(s)
MILLER, BARBARA

Art Unit 1645

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

\boxtimes	1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
	2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
	3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
	4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
\boxtimes	5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
	6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
	7. Other: <u>.</u>
	oplicant Must Provide: An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
	An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically ecting its entry into the application.
	A statement that the content of the paper and computer readable copies are the same and, where applicable, lude no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-0731 or (571) 272-0951

For CRF Submission Help, call (571) 272-2510

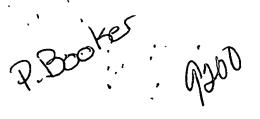
PatentIn Software Program Support

Technical Assistance.1-866-217-9197 or 703-305-3028 or 571-272-6845

PatentIn Software is Available At www.USPTO.gov

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

Lys



RAW SEQUENCE LISTING ERROR REPORT



RECEIVED
SEP 0 3 2002

TECH CENTER 1600/2900

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/623

Source:

Date Processed by STIC:

1600 8/28/2002

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216. PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax) PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

http://www.uspto.gov/web/offices/pac/checker

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

- 1. EFS-Bio (http://www.uspto.gov/ebc/efs/downloads/documents.htm, EFS Submission User Manual ePAVE)
- 2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
- 3. Hand Carry directly to:

U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202

U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

Raw Sequence Listing Error Summary

	SUGGESTED CORRECTION SERIAL NUMBER: 09/623,568A			
ERROR DETECTED	SUGGESTED CORRECTION SERIAL NUMBER: U7/64,568 H			
ATTN: NEW RULES CASES	PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE			
Wrapped Nucleics Wrapped Aminos	The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."			
2Invalid Line Length	The rules require that a line not exceed 72 characters in length. This includes white spaces.			
3Misaligned Amino Numbering	The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.			
4Non-ASCII	The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.			
5Variable Length	Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.			
6PatentIn 2.0 "bug"	A "bug" in Patentin version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) Normally, Patentin would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.			
7Skipped Sequences (OLD RULES)	Sequence(s) missing If intentional, please insert the following lines for each skipped sequence: (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading) (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) This sequence is intentionally skipped			
	Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to Include the skipped sequences.			
8Skipped Sequences (NEW RULES)	Sequence(s) missing. If Intentional, please insert the following lines for each skipped sequence. <210> sequence id number <400> sequence id number 000			
9Use of n's or Xaa's (NEW RULES)	Use of n's and/or Xaa's have been detected in the Sequence Listing. Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present. In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.			
10Invalid <213> Response	Per 1.823 of Sequence Riles, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence			
Use of <220>	Sequence(s) missing the <220> "Feature" and associated numerio identifiers and responses: Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)			
2Patentin 2.0 "bug"	Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.			
3Misuse of n	n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.			

AMC/MH - Biotechnology Systems Branch - 08/21/2001



Input Set : A:\EP.txt

```
Does Not Compty
      3 <110> APPLICANT: Miller, Barbara
                                                                  Corrected Diskette Needed
             Osmani, Stephen
             Clawson, Gary
             Zhang, Min-Ying
             Norris, James
      9 <120> TITLE OF INVENTION: Use of Human Homolog Of A Nuclear Migration Gene For
Treatment And
    10
             Diagnosis Of Cancer
    12 <130> FILE REFERENCE: PSU-0016
    14 <140> CURRENT APPLICATION NUMBER: 09/623,568A
    15 <141> CURRENT FILING DATE: 2001-03-23
    17 <150> PRIOR APPLICATION NUMBER: 60/076,885
    18 <151> PRIOR FILING DATE: 1998-03-05
     20 <150> PRIOR APPLICATION NUMBER: PCT US99/04996
     21 <151> PRIOR FILING DATE: 1999-03-05
     23 <160> NUMBER OF SEQ ID NOS: 16
    25 <170> SOFTWARE: PatentIn version 3.1
    27 <210> SEQ ID NO: 1
    28 <211> LENGTH: 14
    29 <212> TYPE: PRT
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                                Peptide
     33 <223> OTHER INFORMATION:
     35 <400> SEQUENCE: 1
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    38 1
    41 <210> SEQ ID NO: 2
    42 <211> LENGTH: 15
    43 <212> TYPE: PRT
    44 <213> ORGANISM: artificial Sequence
    46 <220> FEATURE:
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    49 <400> SEQUENCE: 2
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    52 1
    55 <210> SEQ ID NO: 3
     56 <211> LENGTH: 24
     57 <212> TYPE: DNA
     58 <213> ORGANISM: artificial Sequence
                                                      same enor as above
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    63 <400> SEQUENCE: 3
    64 ttctgttcgt ctgaagttgg cagc
    67 <210> SEQ ID NO: 4
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· .

RAW SEQUENCE LISTING

DATE: 08/28/2002 TIME: 10:39:01

PATENT APPLICATION: US/09/623,568A

Input Set : A:\EP.txt

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	73 <223> OTHER INFORMATION Oligonucleotide	
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	88 aaggtaccaa gatggactcc ccagggaagc aggatact 91 <210> SEQ ID NO: 6	30
	92 <211> LENGTH: 32	
	93 <212> TYPE: DNA	
	94 <213> ORGANISM: artificial Sequence	
	96 <220> FEATURE:	
٠	97 <223> OTHER INFORMATION: Oligonucleotide	
	99 <400> SEQUENCE: 6	
	100 aaggatccaa gaaagttggg tggttgcagc tc	32
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	104 <211> LENGTH: 20	
	105 <212> TYPE: DNA	
	106 <213> ORGANISM: artificial Sequence	
	108 <220> PEATURE:	
	109 <223> OTHER INFORMATION: Oligonucleotide	
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	116 <211> LENGTH: 20	
	117 <212> TYPE: DNA	
	118 <213> ORGANISM: artificial Sequence	
	120 <220> FEATURE:	
	121 <223> OTHER INFORMATION: Oligonucleotide	
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	128 <211> LENGTH: 24	
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	130 <213> ORGANISM: artificial Seguence	
	132 <220> FEATURE:	
	133 <223> OTHER INFORMATION: Oligonucleotide	
	135 <400> SEQUENCE: 9	
	136 agcaacatgc cgtcgaaccg ctcc	24
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	140 <211> LENGTH: 24	

Input Set : A:\EP.txt

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142 <213> ORGANISM: artificial Sequence
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153 <212> TYPE: DNA
154 <213> ORGANISM: Homo sapiens
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159 aggagggtt cqacqqcatq ttqctqqcca tggctcagca gcacgagggc ggcgtgcagg
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                                                                          180
161 agettgtgaa cacettette agetteette gaegeaaaac agaettttte attggaggag
163 aagaagggat ggcagagaag cttatcacac agactttcag ccaccacaat cagctggcac
                                                                          240
165 agaagacccg gcgggagaag agagcccggc aggaggccga gcggcgggag aaggcggagc
                                                                          300
167 gggcggccag actggccaag gaagccaagt cagagacete agggccccag atcaaggage
                                                                          360
169 taactgatga agaggcagag aggctgcagc tagagattga ccagaaaaag gatgcagaga
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                                                                          480
171 atcatgagge ccageteaag aacggeagee ttgacteece agggaageag gatactgagg
173 aagatgagga ggaagatgag aaggacaaag gaaaactgaa gcccaaccta ggcaacgggg
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175 cagacctgcc caattaccgc tggacccaga coctgtcgga gctggacctg gcggtccctt
177 tetgtgtgaa etteeggetg aaagggaagg acatggtggt ggacateeag eggeggeace
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179 tccgggtggg gctcaagggg cagccagcga tcattgatgg ggagctctac aatgaagtga
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181 aggtggagga gagctcgtgg ctcattgagg acggcaaggt ggtgactgtg catctggaga
                                                                          780
183 agatcaataa gatggagtgg tggagccgct tggtgtccag tgaccctgag atcaacacca
                                                                          840
                                                                          900
185 agaagattaa ccctgagaat tccaagctgt cagacctgga cagtgagact cgcagcatgg
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187 tggaaaagat gatgtatgac cagcgacaga agtccatggg gctgccaact tcagacgaac
189 agaagaaaca ggagattctg aagaagttca tggatcaaca tccggagatg gatttttcca
                                                                         1020
                                                                         1080
191 aggctaaatt caactagccc ctgttttttc ctccctgaac tcttggggct gagctgcaac
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193 cacceaactt tettteccae tettetetgg gaettgtggg ceteaggget tggggcagge
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195 atgggactgg cccaggcaca caggtcccgg ggcatcagga gaaaggctgg gtcttgggac
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                                                                         1281
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203 <211> LENGTH: 331
204 <212> TYPE: PRT
205 <213> ORGANISM: Homo sapiens
207 <400> SEQUENCE: 12
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213 Met Ala Gln Gln His Glu Gly Gly Val Gln Glu Leu Val Asn Thr Phe
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217 Phe Ser Phe Leu Arg Arg Lys Thr Asp Phe Phe Ile Gly Gly Glu Glu
221 Gly Met Ala Glu Lys Leu Ile Thr Gln Thr Phe Ser His His Asn Gln
                            55
                                                60
225 Leu Ala Gln Lys Thr Arg Arg Glu Lys Arg Ala Arg Gln Glu Ala Glu
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229 Arg Arg Glu Lys Ala Glu Arg Ala Ala Arg Leu Ala Lys Glu Ala Lys
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Input Set : A:\EP.txt

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                                120
241 Glu Ala Gln Leu Lys Asn Gly Ser Leu Asp Ser Pro Gly Lys Gln Asp
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       130
                                                140
242
245 Thr Glu Glu Asp Glu Glu Glu Asp Glu Lys Asp Lys Gly Lys Leu Lys
                        150
                                            155
246 145
249 Pro Asn Leu Gly Asn Gly Ala Asp Leu Pro Asn Tyr Arg Trp Thr Gln
                   165
                                        170
253 Thr Leu Ser Glu Leu Asp Leu Ala Val Pro Phe Cys Val Ash Phe Arg
               180
                                    185
                                                        190
254
257 Leu Lys Gly Lys Asp Met Val Val Asp Ile Gln Arg Arg His Leu Arg
                                200
                                                    205
           195
261 Val Gly Leu Lys Gly Gln Pro Ala Ile Ile Asp Gly Glu Leu Tyr Asn
       210
                            215
                                                220
265 Glu Val Lys Val Glu Glu Ser Ser Trp Leu Ile Glu Asp Gly Lys Val
                                            235
                        230
266 225
269 Val Thr Val His Leu Glu Lys Ile Asn Lys Met Glu Trp Trp Ser Arg
                    245
                                        250
273 Leu Val Ser Ser Asp Pro Glu Ile Asn Thr Lys Lys Ile Asn Pro Glu
                                                        270
               260
                                    265
274
277 Asn Ser Lys Leu Ser Asp Leu Asp Ser Glu Thr Arg Ser Met Val Glu
                                                    285
           275
                                280
281 Lys Met Met Tyr Asp Gln Arg Gln Lys Ser Met Gly Leu Pro Thr Ser
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                            295
                                                300
285 Asp Glu Gln Lys Lys Gln Glu Ile Leu Lys Lys Phe Met Asp Gln His
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289 Pro Glu Met Asp Phe Ser Lys Ala Lys Phe Asn
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308 Phe Ser Phe Leu Arg Arg Lys Thr Asp Phe Phe Ile Gly Gly Glu Glu
           35
312 Gly Met Ala Glu Lys Leu Ile Thr Gln Thr Phe Asn His His Asn Gln
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                            55
316 Leu Ala Gln Lys Ala Arg Arg Glu Lys Arg Ala Arg Gln Glu Thr Glu
317 65
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320 Arg Arg Glu Lys Ala Glu Arg Ala Ala Arg Leu Ala Lys Glu Ala Lys
324 Ala Glu Thr Pro Gly Pro Gln Ile Lys Glu Leu Thr Asp Glu Glu Ala
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Input Set : A:\EP.txt

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                                                140
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336 Ala Glu Glu Glu Asp Glu Glu Asp Glu Lys Asp Lys Gly Lys Leu
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                        150
337 145
340 Lys Pro Asn Leu Gly Asn Gly Ala Asp Leu Pro Asn Tyr Arg Trp Thr
                    165
                                        170
344 Gln Thr Leu Ser Glu Leu Asp Leu Ala Val Pro Phe Arg Val Ser Phe
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                                    185
348 Arg Leu Lys Gly Lys Asp Val Val Val Asp Ile Gln Arg Arg His Leu
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                                                    205
           195
352 Arg Val Gly Leu Lys Gly Gln Ala Pro Val Ile Asp Gly Glu Leu Tyr
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                                                220
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356 Asn Glu Val Lys Val Glu Glu Ser Ser Trp Leu Ile Glu Asp Gly Lys
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                                            235
360 Val Val Thr Val His Leu Glu Lys Ile Asn Lys Met Glu Trp Trp Asn
                                        250
                    245
364 Arg Leu Val Thr Ser Asp Pro Glu Ile Asn Thr Lys Lys Ile Asn Pro
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                260
368 Glu Asn Ser Lys Leu Ser Asp Leu Asp Ser Glu Thr Arg Ser Met Val
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372 Glu Lys Met Met Tyr Asp Gln Arg Gln Lys Ser Met Gly Leu Pro Thr
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376 Ser Asp Glu Gln Lys Lys Gln Glu Ile Leu Lys Lys Phe Met Asp Gln
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385 <211> LENGTH: 198
386 <212> TYPE: PRT
387 <213> ORGANISM: Aspergillus nidulans
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399 Pro Tyr Lys Trp Thr Gln Thr Ile Arg Asp Val Asp Val Thr Ile Pro
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                                40
403 Val Ser Ala Asn Leu Lys Gly Arg Asp Leu Asp Val Val Leu Lys Lys
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                            55
                                                60
407 Asp Ser Ile Lys Val Lys Val Lys Gly Glu Asn Gly Glu Val Phe Ile
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                                            75.
411 Asp Gly Gln Phe Pro His Pro Ile Lys Pro Ser Glu Ser Ser Trp Thr
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                    85
415 Leu Glu Thr Thr Ser Lys Pro Pro Gly Lys Glu Val Ser Ile His Leu
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                                    105
419 Asp Lys Val Asn Gln Met Glu Trp Trp Ala His Val Val Thr Thr Ala
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Input Set : A:\EP.txt

Output Set: N:\CRF4\08282002\1623568A.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:16; Xaa Pos. 9,11

VERIFICATION SUMMARY

DATE: 08/28/2002

PATENT APPLICATION: US/09/623,568A

TIME: 10:39:02

Input Set : A:\EP.txt,

Output Set: N:\CRF4\08282002\1623568A.raw

L:496 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:16 after pos.:0